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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

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TIMOTHY PAUL LUCERO, No. 2:23-cv-2844 KJM CSK P

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Plaintiff,

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v.

ORDER

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STATE OF CALIFORNIA, et al.,

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Defendants.

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Plaintiff, a county prisoner proceeding pro se, filed a civil rights action pursuant to 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

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On April 09, 2025, the magistrate judge filed findings and recommendations herein which were served on plaintiff and which contained notice to plaintiff that any objections to the findings and recommendations were to be filed within fourteen days. Plaintiff did not file objections to the findings and recommendations.

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The court presumes that any findings of fact are correct. *See Orand v. United States*, 602 F.2d 207, 208 (9th Cir. 1979). The magistrate judge's conclusions of law are reviewed de novo. *See Robbins v. Carey*, 481 F.3d 1143, 1147 (9th Cir. 2007) ("[D]eterminations of law by the magistrate judge are reviewed de novo by both the district court and [the appellate] court

1 . . ."). Having reviewed the file, the court finds the findings and recommendations to be  
2 supported by the record and by the proper analysis.

3 Accordingly, IT IS HEREBY ORDERED that:

- 4 1. The findings and recommendations (ECF No. 23) are adopted in full; and  
5 2. This action is dismissed without prejudice for failure to prosecute. *See* Local Rule  
6 183(b).

7 DATED: June 3, 2025.

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9 SENIOR UNITED STATES DISTRICT JUDGE  
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